

**McCARTER & ENGLISH, LLP**

Four Gateway Center  
100 Mulberry Street  
Newark, New Jersey 07102  
(973) 622-4444  
Attorneys for Defendant  
Commonwealth Land Title  
Insurance Company

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

---

WALSH SECURITIES, INC.,

Plaintiff,

v.

CRISTO PROPERTY MANAGEMENT,  
LTD., A/K/A G.J.L. Limited, ET AL.,

Defendants.

---

Civil Action No. 97-cv-3496 (DRD)(MAS)

Hon. Dickinson R. Debevoise, U.S.S.D.J.  
Hon. Michael A. Shipp, U.S.M.J.

**NOTICE OF MOTION FOR PARTIAL  
SUMMARY JUDGMENT TO DISMISS,  
WITH PREJUDICE, THE BAD FAITH  
CLAIMS AT PARAGRAPHS 98 TO 100 OF  
THE FOURTH AMENDED COMPLAINT**

TO: Robert A. Magnanini, Esq.  
Stone & Magnanini LLP  
150 JFK Parkway  
Short Hills, NJ 07078

COUNSEL:

**PLEASE TAKE NOTICE** that on January 18, 2012 at 10 o'clock in the forenoon, or as soon thereafter as counsel may be heard, we shall apply to the United States District Court for the District of New Jersey for entry of an Order granting partial summary judgment dismissing, with prejudice, the bad faith claims asserted at paragraphs 98 to 100 of the Fourth Amended Complaint;

**PLEASE TAKE FURTHER NOTICE** that in support of the motion we shall rely upon Defendant Commonwealth Land Title Insurance Company's Statement of Undisputed Material

Facts, Defendant Commonwealth Land Title Insurance Company's Brief in Support of its Motion for Partial Summary Judgment to dismiss, with prejudice, the Bad Faith Claims at paragraphs 98 to 100 of the Fourth Amended Complaint, and the Certification of Sara F. Merin in Support of Commonwealth's Motions for Partial Summary Judgment, with exhibits, submitted herewith;

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is submitted with this motion.

**McCARTER & ENGLISH, LLP**  
Attorneys for Defendant  
Commonwealth Land Title  
Insurance Company

By: *s/David R. Kott*  
David R. Kott  
A Member of the Firm

Dated: November 10, 2011